

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN
SOUTHERN DIVISION - FLINT

IN RE: Roscoe Benton, III,
Desi Najuana Benton,

CHAPTER:13
FILE NO. 09-36642
HON. DANIEL OPPERMAN

Debtor(s) _____ /
ATTORNEY SEFCOVIC, P.C.
Henry J. Sefcovic P24882
817 Washington Ave. Suite 300
Bay City, MI 48708
(989) 892-1200
_____ /

**DEBTORS' OBJECTION TO PROOF OF CLAIM OF THE MICHIGAN
DEPARTMENT OF TREASURY CLAIM NO. 14**

The Debtors, by their attorney, Henry J. Sefcovic, and for their objection to the Proof of Claim of the Michigan Department of Treasury Claim No 14, as amended states as follows:

1. On December 14, 2009, the Debtors filed this Chapter 13 Bankruptcy proceeding.
2. On March 19th, 2010, the creditor, Michigan Department of Treasury, filed a proof of claim, claim #14, claiming a secured claim in the amount of \$2,762.61 based on past due taxes, hereto attached as Exhibit A.
3. The Debtor Desi Benton does not own any real property, therefore this debt cannot be attached as a lien on 5322 Jamestown Road., Grand Blanc, MI 48439.

WHEREFORE, the Debtors respectfully request that this Court order the Michigan Department of Treasury to amend their claim #14 regarding Debtor's 2007 income taxes, and grant the Debtor all such further relief as is just and equitable as presented in Debtor's proposed order.

DATED: September 29, 2011

/s/ Henry J. Sefcovic
HENRY J. SEFCOVIC
Attorney for Debtors
817 Washington Ave. Suite 300
Bay City, Mi 48708
(989)892-1200
Sefcovic2002@yahoo.com

UNITED STATES BANKRUPTCY COURT
EASTERN DISTRICT OF MICHIGAN

IN RE: Roscoe Benton, III,
Desi Najuana Benton,

CHAPTER:13
FILE NO. 09-36642
HON. DANIEL OPPERMAN

Debtor(s). /
ATTORNEY SEFCOVIC, P.C.
Henry J. Sefcovic P24882
817 Washington Ave. Suite 300
Bay City, MI 48708
(989) 892-1200
/

ORDER ALLOWING OBJECTION TO PROOF OF CLAIM OF MICHIGAN
DEPARTMENT OF TREASURY CLAIM NO. 14

Upon consideration of the debtors objection to proof of claim of the Michigan Department of Treasury Claim No. 14 filed by Henry J. Sefcovic, Attorney for the above named Debtor herein, and upon a hearing on said Objection, and the court being fully advised in the premises.

IT IS HEREBY ORDERED, the Debtors respectfully request that this Court order Michigan Department of Treasury to amend their claim #14 regarding debtors tax lien on residence 5322 Jamestown Rd., Grand Blanc, MI 48439 as this home has been foreclosed on and was never in the debtors name, and grant the Debtors all such further relief as is just and equitable.